



9/26/04

PATENT
ATTORNEY DOCKET NO. 005127.00356

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No.: **5894**
Dylan S. Van Atta et al.)
Serial No.: **10/814,594**) Examiner: **TBA**
Filed: **March 30, 2004**) Art Unit: **3765**
Title: **SWIM CAP WITH MULTIPLE**)
DUROMETERS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

In regard to the above-identified application, we are transmitting herewith the attached:

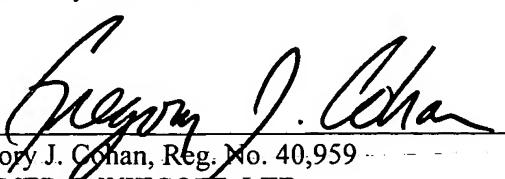
1. Information Disclosure Statement;
2. USPTO Form 1449 with two (2) references; and
4. Return Receipt Postcard.

and hereby certify that this correspondence is being deposited on the date indicated below with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

With respect to additional fees, the Commissioner is hereby authorized to charge any fees or credit overpayment, to our Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: July 13, 2004



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INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.97-1.99, Applicants hereby submit the enclosed PTO Form 1449. Copies of the non-U.S. patent publications and non-patent publications (2 references) are enclosed. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. § 1.56.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. § 102 or § 103.

Please apply any charges or credits to Deposit Account No. 19-0733.

Respectfully submitted,

Dated:

July 13, 2004

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USPTO Form 144 9		U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No. 005127.00356		Serial No. 10/814,594	
INFORMATION DISCLOSURE CITATION Sheet 1 of 1		JUL 15 2004 CJC PATENT & TRADEMARK OFFICE		Applicants: Dylan S. Van Atta et al.			
				Filing Date: March 30, 2004			Group: 3765
U.S. PATENT DOCUMENTS							
Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
	AA	5,095,545	03/17/1992	Lane	2	68	02/26/1990
	AB	5,734,990	04/07/1998	Waring	2	69	03/11/1996
	AC	5,887,280	03/30/1999	Waring	2	69	02/20/1998
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Country	Class	Subclass	Translation
							YES NO
	AD	EP 0 813 372 B1	02 Nov 2000	EPO			
	AE	WO 96/28052	19 Sep 1996	PCT			
OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)							
EXAMINER					DATE CONSIDERED		
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.**Copies of references not provided at the time of this submission.</p>							

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.**Copies of references not provided at the time of this submission.